

STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(b)) - INDEPENDENT INVENTOR

Docket Number: 690-110P

Applicant, Patentee, or Identifier: Wolfgang M. FRANZ et al.

Application or Patent No.: 09/068,751

Filed or Issued: Filed November 2, 1998

Title: GENE-THERAPEUTIC NUCLEIC ACID CONSTRUCT, PRODUCTION OF SAME AND USE OF SAME IN THE TREATMENT OF HEART DISORDERS

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- the specification filed herewith with title as listed above.  
 the application identified above.  
 the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the inventions is listed below:

- No such person, concern, or organization exists.  
 Each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

(37 CFR 1.28(b))

Wolfgang M. FRANZ  
Name of Inventor

  
Signature of Inventor

04-18-2000  
Date

Thomas ROTHMANN  
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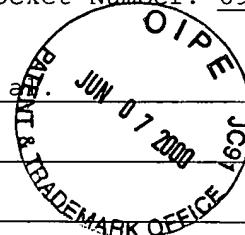
  
Signature of Inventor

2-5-2000  
Date

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04-19-00  
Date



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